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January 19, 2024

**Via ECF**

The Honorable Arun Subramanian  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

**Re: *Morales, et al. v. Performance Master, Inc. et al.***  
**Civil Docket No.: 21-cv-00097-ER**

Dear Judge Subramanian:

Our office represents Defendants J.D.M. Marmol & Granite and Marcos Zhiminaicela in the above-referenced matter. This letter is submitted to respectfully request an extension to January 26, 2024, for Defendants to submit a motion for summary judgment.

The basis for this request is that the undersigned was under medical illness during the first two weeks of January 2024. Moreover, Defendants were not Plaintiffs' employer or joint employer, Plaintiffs have not provided any discovery responses with any evidence that Defendants were Plaintiffs' employer and there is no issue of fact upon which to proceed to waste judicial resources.

We kindly thank Your Honor for your consideration of this request.

Very truly yours,

/s/ Matthew Madzelan  
Matthew Madzelan, Esq.

SO ORDERED.

Arun Subramanian, U.S.D.J.  
Date: January 22, 2024